

Members

Sen. Connie Lawson, Chairperson
Sen. Rose Antich
Rep. William Crawford
Rep. Mary Kay Budak
Marcia Hearn-Lindsey
Carol Johnson
Nathan Samuel
Ellen Clippinger
Cheryl Seelig
Sven Schumacher
Kimberly Tracy Armstrong
Judith Ganer
John Boyce
Mara Snyder
Judy Nevins
Sharon Pierce
Natalie Wolfe



BOARD FOR THE COORDINATION OF CHILD CARE REGULATION

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MEETING MINUTES¹

Meeting Date: October 10, 2002
Meeting Time: 10:00 A.M.
Meeting Place: State House, 200 W. Washington
St., Room 404
Meeting City: Indianapolis, Indiana
Meeting Number: 3

Members Present: Sen. Connie Lawson, Chairperson; Rep. William Crawford; Rep. Mary Kay Budak; Carol Johnson; Nathan Samuel; Ellen Clippinger; Sven Schumacher; Judith Ganer; John Boyce; Judy Nevins; Natalie Wolfe.

Members Absent: Sen. Rose Antich; Marcia Hearn-Lindsey; Kimberly Tracy Armstrong; Mara Snyder; Cheryl Seelig; Sharon Pierce.

I. Call to order:

Senator Connie Lawson, Chairperson, called the meeting to order at 10:15 A.M.

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

Chairperson Lawson reminded those present that the Committee had already heard testimony and was not seeking additional testimony at the meeting.

II. Family and Social Services Administration Updates Including Proposed Rules for Child Care and Development Fund Minimum Standards and Playground Issue from 2001 Interim:

Ms. Beth Eiler, Deputy Director, Bureau of Child Development, FSSA, passed out copies of the latest rule draft (Exhibit 1) and a memo to providers concerning use of volunteers (Exhibit 2). The issue of including volunteers centers around putting children at risk. Volunteers would be exempt from the rules only if they were never allowed to be alone with the children. Ms. Eiler provided the Committee members with some suggested wording for minimum standard law changes including language concerning volunteers. (Exhibit 3) During the discussion, Ms. Eiler said that the need to keep immunization records current and on file means that the children must actually have the required immunization and not just that the record should reflect the current information on immunization for the child. There was some discussion that perhaps some kind of grace period should be considered which would allow a child to receive services while getting the required immunization. There was also discussion concerning the type of CPR training needed for children at different age levels.

Senator Lawson indicated that issues like immunization could be discussed at the working meeting on October 16. Ms. Eiler provided the members with information which had been requested at the previous meeting. (Exhibit 4)

Chairperson Lawson asked Ms. Eiler to provide information on playground safety. Ms. Eiler indicated that Indiana has received a C+ grade from the national group which evaluates playground safety. Last year the State received a grant of \$500,000 to provide grants to centers. FSSA made grants of a maximum of \$5,000 to 125 centers.

There was some discussion of the cost of implementing the new rules. In answer to a question from Representative Crawford, it was explained that agencies must identify rules with a financial impact of \$500,000 or more.

Ms. Nancy Flenner, STEP Ahead of Allen County, addressed the Committee concerning the impact the cuts in day care funding are having. She provided the members with an article from the Wall Street Journal which cites Indiana's cuts. (Exhibit 5)

There was some discussion on the relation of Social Services Block Grant money and Child Care and Development Fund (CCDF) dollars. Mr. John Boyce stated that the TANF block grant funds had been needed for cash assistance and had to be taken from day care. Representative Crawford asked what FSSA had planned if TANF were re-authorized at a funding level which would provide additional TANF dollars. Mr. Boyce said that there were two opportunities to reinstate some of the day care dollars. In addition to TANF re-authorization, there is also the potential that money will be available under the child care block grant.

Representative Crawford provided the Committee with two publications concerning child care funding at the federal level. (Exhibits 6 and 7) Chairperson Lawson asked how families which were receiving child care when the standard was 133% of poverty are being tracked since the standard has been lowered to 127% of poverty. There was some discussion centering around making an arrangement so that those families which had been receiving child care when the standard was 133% of poverty and who lost child care when the standard was lowered would not have to go to the bottom of the waiting list if the

standard is raised again. Representative Crawford asked FSSA to provide a pie chart to the Committee showing the difference in Social Services Block Grant and other child care dollars. There was discussion among the members concerning a resolution as part of the final report which would ask the Legislative Council to ask Congress to re-authorize TANF. (Information is included in Exhibit 7 concerning who should be contacted.)

There was discussion concerning co-payment plans. A number of persons stated that increasing co-pay amounts would be preferable to losing child care assistance totally. Ms. Eiler reported that there had been no increase in co-payment for families.

Ms. Constance Shelton, Children's Coalition, discussed unintended consequences resulting from cuts in child care reimbursement. Ms. Shelton discussed co-payment and increases in costs. She said that the group she represents would like clarity in how additional funds will be spent in the future. Ms. Shelton also emphasized the need to work as a team when developing the rules and minimum standards.

III. Board Consideration of Proposed Child Care Center Rules:

Ms. Beth Eiler provided the members with a copy of the proposed rules with a rationale for changes from the last draft. (Exhibit 8) Ms. Deborah Chubb, Michigan City Child Care Consortium, indicated that this has been a nine-year process during which time many compromises have been made. Chairperson Lawson said that FSSA needs direction on the proposed rule. She hopes to provide that at the next meeting. She asked that anyone with concerns get them to her before the next meeting.

IV. Kith and Kin Issues:

Ms. Beth Eiler discussed federal guidelines on specific types of care. She provided the members with a chart showing the number of children in the care of relatives for FY01 and FY02. (Exhibit 9) During the discussion, concerns were expressed over the education and training of care givers. There was also discussion on the role live in boyfriends should play in childcare and if there should be CCDF reimbursement given to a live in boyfriend. Ms. Eiler is checking to see whether or not Indiana provides reimbursement to live in boyfriends. The federal guidelines allow for reimbursement, but Ms. Eiler is not sure Indiana does. There were also questions concerning the number of children who are not related to the care giver who can be cared for without licensing when there are children related to the care giver in the home at the same time. The Committee asked for that information for the October 24 meeting.

V. Preschool Regulation:

Mr. Randy Garratt, Indiana Association for the Education of Youth Children, presented the members with written testimony. (Exhibit 10)

During discussion, members expressed concern that there are health and safety issues concerning children in preschool. The Department of Education and FSSA need to work together to ensure quality care.

Ms. Cheryl Miller, Executive Director, Indiana Head Start Association, presented the members with written testimony. (Exhibit 11) Over time, Head Start has become more flexible in the number of hours care is provided. In some instances, Head Start sends persons to homes to train parents so that the children can receive care at home.

The Chairperson indicated that the members' packets included a memorandum from Ann

Naughton, Attorney for the Board, concerning preschool regulations in other states. (Exhibit 12)

Ms. Patricia Cole, Research Associate with Indiana University, Indiana Institute on Disability and Community, provided the members with information on early childhood care. (Exhibits 13 and 14)

Ms. Jan Levy, Child Care Professional Network, told the members that she operated centers that provide both preschool and day care. She believes that both should be regulated.

VI. Proposed Legislation Concerning Minimum Standard for Child Care Providers:

Ms. Jan Levy discussed the minimum standards for child care providers. She represents a network with between 100 and 250 members. Their issues include the requirement for two sets of licensing procedures as child care centers and as providers of CCDF care. Concern was expressed that drug tests given for initial employment are worthless without random testing later.

VII. Board Discussion:

Senator Lawson reminded members that they had been provided with a draft for the child care and development fund voucher program. (Exhibit 15) That draft will serve as the basis for the working meeting on the 16th. There will be two additional meetings of the Committee on October 24 and October 31.

VIII. Adjournment:

The meeting was adjourned at 12:40 P.M.